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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12
13 CLRB HANSON INDUSTRIES, LLC d/b/a
INDUSTRIAL PRINTING, and HOWARD
14 STERN, on behalf of themselves and all others
similarly situated,

15 Plaintiffs,

16 v.

17 GOOGLE, INC.,

18 Defendants.

CASE NO. C 05-03649 JW

**DECLARATION OF DAVID T.
BIDERMAN IN SUPPORT OF
GOOGLE INC.'S MOTION FOR
PARTIAL SUMMARY JUDGMENT ON
PLAINTIFFS' "120% RULE" AND
"PARTIAL MONTH" CLAIMS**

Date: November 10, 2008

Time: 9:00 a.m.

Place: Courtroom 8

Judge: Honorable James Ware

1 I, David T. Biderman, declare as follows:

2 1. I am an attorney duly licensed to practice law in all of the courts of the State of
3 California and this Court, and am an attorney with the law firm of Perkins Coie LLP, counsel for
4 defendant Google Inc. ("Google") in this action. I submit this declaration in support of Google's
5 Motion for Partial Summary Judgment on Plaintiffs' "120% Rule" and "Partial Month" Claims.
6 I have personal knowledge of the facts set forth below. If called upon to testify, I could and
7 would testify competently as to the matters set forth herein.

8 2. Attached hereto as Exhibit A are true and correct copies of relevant excerpts from
9 the transcript of the Deposition of Plaintiff CLRB Hanson Industries, LLC d/b/a Industrial
10 Painting, which took place on August 18, 2006.

11 3. Attached hereto as Exhibit B are true and correct copies of relevant excerpts from
12 the transcript of the Deposition of Plaintiff Howard Stern, which took place on August 16, 2006.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct.

15 Executed this 5th day of September, 2008, at San Francisco, California.

16
17 _____/s/
18 David T. Biderman

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